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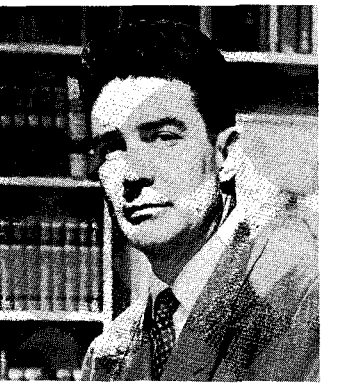

DAN SMOOT

METROPOLITAN GOVERNMENT

President Lyndon B. Johnson's 1965 State of the Union Message contained one section captioned "Urban Development":

"In our urban areas the central problem today is to protect and restore man's satisfaction in belonging to a community where he can find security and significance.

"The first step is to break old patterns—to begin to think and work and plan for the development of entire metropolitan areas. We will take this step with new programs of help for basic community facilities and for neighborhood centers of health and recreation. New and existing programs will be open to those cities which work together to develop unified long-range policies for metropolitan areas.

"We must also make important changes in our housing programs if we are to pursue these same basic goals. So a Department of Housing and Urban Development will be needed to spearhead this effort in our cities."(1)

The federal government is already so enmeshed in the affairs of American cities that no one knows the extent. Federal tax money is used for schools, health facilities, public power, research and development, air-pollution control, water-pollution control, public sewage, streets and freeways, airports, welfare, public vaccination programs, transportation, unemployment relief, employment services, special programs for manpower training and development, parks and recreation facilities, public libraries, special youth training, prison facilities, police activities, juvenile-delinquency control, miscellaneous public works.

The government's most dangerous, perhaps most extensive, involvement in urban affairs is through urban renewal.

In order to get federal money for urban renewal, urban communities and entire States have scrapped fundamental American concepts of freedom, including rights of property owners.

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Before a city can get federal tax money for urban renewal, it must have zoning laws "with teeth in them"—laws giving city officials control over private real estate, to guarantee use pleasing to federal planners. But zoning laws are not enough. Urban renewal involves not merely control, but confiscation, of private property.

Traditionally, it was difficult for city governments, by eminent domain, to confiscate an occasional piece of private property for *necessary* public use, even when public need was obvious and urgent. Urban renewal requires seizures of all private property in large areas (at whatever cost in tax money); and it uproots entire communities of families and established businesses (at whatever cost in heartbreak and financial loss for those uprooted) *for no public need*—unless tearing down and rebuilding whole sections of a city to please public planning officials be construed as "public need."

How did city governments acquire power to *eliminate* private property rights? On November 22, 1954, the U. S. Supreme Court reversed a lower federal court ruling in a Washington, D. C., urban renewal case.[2] The lower court had said:

"One man's land cannot be seized by the Government and sold to another man merely in order that the purchaser may build upon it a better house or a house which better meets the government's idea of what is appropriate or well-designed."[2]

The Supreme Court held, in essence, that Congress, in the District of Columbia, has unlimited authority to determine what the public good is, and unlimited power to use any means to achieve that good. The Court said that State legislatures have the same power over all communities in their States.[2]

Since this 1954 Supreme Court decision, many State legislatures have enacted special urban-renewal laws—"authorizing" city governments to confiscate private real estate for urban-renewal projects.

Complexity of federal intervention in community affairs has created what President Johnson calls the need for a new cabinet post to be named Department of Housing and Urban Development. But there is more to this proposal than an effort to get all the federal government's "urban affairs" programs administered by one agency. Here is the key to the President's "Urban Development" statement:

"New and existing programs will be open to those cities which work together to develop unified long-range policies for metropolitan areas . . . ."[1]

Many metropolitan areas in the United States cross State lines. The New York City metropolitan area, for example, includes portions of New York, New Jersey, and Connecticut. For many years, socialists and other devotees of governmental planning in the United States, have argued against multiplicity of government—division of the nation into States, Counties, and Cities. These separate governmental authorities overlap, to some degree; and all duplicate "public services" now being performed by the federal government.

Advocates of governmental planning have visions of a new kind of America: they would transform our union of sovereign States into a regionally-planned, monolithically-unified nation, divided into a score of metropolitan areas which sprawl across State boundary lines. Each area will be ruled, at the "local level," by only one governmental authority: a metropolitan government. Existing governments—City, County, and State—will eventually be abolished.

Initially, each metropolitan authority will levy taxes directly on local citizens; but when the whole nation has been organized into metropolitan areas, taxation can be made uniform (and local opposition to taxes eliminated) by abolishing local taxes. All taxes can then be levied by the central government in Washington.

Each metropolitan area will be governed by a professional manager. Metropolitan councilmen or commissioners elected by the people will appoint the manager—who will be answerable, however, not to the people he governs, but to the supreme political power in Washington.

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Metropolitan America thus being planned is strikingly similar to the Soviet America which communists have long advocated. The Soviet scheme can be found in *Toward A Soviet America,* written in 1932 by William Zebulon Foster (then top official of the U. S. communist party).

Liberals, who are pushing plans for a Metropolitan America, have no faith in the freedom and individualism which built our great cities; but they seem convinced that compulsory, tax-financed governmental planning can create heaven on earth.

A first step toward metropolitan government is the adoption of city managership, together with strong zoning laws, by the dominant city in a metropolitan area. The idea spreads to surrounding, minor cities — until it seems logical to consolidate all into one metropolitan government, under one appointed manager.

The argument which persuades many to support city-manager government is that government by a managerial expert will be more efficient, less costly — but it generally increases cost. The city keeps elected officials—superimposing the manager and his secretariat on existing offices.[3]

In some cities (Dallas, for example), city-manager government does not violate American principles of self-government, because elected officials hire the city manager as an administrator only. In other cities, elected officials are simply window dressing and rubber stamps for the appointed manager.

In most cases, existing city and county governments must be abolished before all can be consolidated into a metropolitan government. Counties and cities are created under State authority. Before they can be abolished, the State must give permission. This can be done on a selective basis, but that would require lobbying and controversy for the creation of each metropolitan government. A quicker way is for the State legislature to enact a home-rule law, generally authorizing cities and counties to change their forms of government without reference to the State legislature. *Home rule* sounds good to those who believe in keeping governmental authority close to home; but home rule does not bring government by elected home folks: it brings government by *appointed* experts over whom local voters and taxpayers have little control.

Brief History of Expertism

The National Municipal League was organized in 1894, headquarters in New York, to fight graft and corruption in municipal governments. By 1915, the League had apparently abandoned the idea of *reforming* city governments, in favor of *changing* them. At any rate, in 1915 agitation for city managership became the principal activity of the National Municipal League.[4]

The League's basic principle—of executive government by appointed experts, with elected officials performing ceremonial roles and exercising the perfunctory duty of approving and raising funds for the city managers' schemes—triumphed in 1933 when Franklin D. Roosevelt introduced a kindred system for the national government.

The National Municipal League in New York was the parent organization of many others, most of which were spawned during the days of the new deal—and which gravitated to Chicago as national headquarters.[3]

In April, 1938, the University of Chicago completed, at 1313 East 60th Street, a building to house organizations devoted to hatching schemes for remaking America. Today, 1313 East 60th Street is national headquarters for 23 organizations, mostly tax-exempt, financed by tax-free foundations (like Rockefeller, Carnegie, Julius Rosenwald, Russell Sage, Ford).[5]

Thus, 1313 East 60th Street, Chicago, has become a national center for the production of experts—to fabricate "progressive" legislation for

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governments at all levels; to rewrite State constitutions; to draw up model zoning laws, urban renewal laws, and home-rule laws; and to provide professional managers whenever people in any locality are ready for government by imported specialists as a substitute for government by elected local citizens.

Not all city managers and county managers in the United States come directly from 1313, but the tap roots of their "contacts," if not their training, can usually be traced to that source.[3]

A Classic Case Study

In 1921, Miami (one of 26 municipalities in Dade County, Florida) adopted city managership. By 1947, several of the lesser municipalities had followed suit, and it was time to move for consolidation of the whole county into Metropolitan Government under one manager.[6]

In 1947, the Dade County Research Foundation was created. It was composed of prominent local citizens devoted to the ideal of building better government for the area. In due course, the Dade County Research Foundation made a deal with the Department of Government at the University of Miami to do its research.[6]

Donald R. Larson, head of the Department of Government, had come to Miami from the national headquarters of expertism—1313 E. 60th Street, Chicago. He persuaded the University to subcontract the research work to the Public Administration Service, 1313 E. 60th Street, Chicago.[6]

Public Administration Service had already done the research. The social scientists there already knew what kind of government they wanted Dade County to have. But first, they had to persuade the Florida State Legislature to grant Dade County a home-rule charter which would cut it loose from control by the State government. The political-propaganda work was done by local citizens and organizations under leadership of the experts.[6]

Citizens of the 26 municipalities in Dade County were told that a consolidation of governmental services would eliminate costly duplication and produce greater efficiency and economy; yet they were assured that the people in each municipality would continue to manage their own governmental affairs.

On May 21, 1957, about one-fourth of the qualified voters of Dade County, Florida, approved, by a narrow margin (44,175 to 42,448), adoption of a Metro Charter.[4, 6] But imperfections soon appeared.

A glance at the Metropolitan Government Charter (voted upon the whole population of Dade County, Florida, by 11% of the qualified voters) will indicate the quality of those imperfections.

The first sentence of Article I, of Dade County's Metro Charter:

"The Board of County Commissioners shall be the legislative and the governing body of the county and shall have the power to carry on a central metropolitan government."[7]

Dade County thus scrapped the American principle that the powers of government should be separated. When the people who make laws are the same ones who administer, adjudicate, and enforce the laws—government becomes tyrannical.

Although the Dade County Metro Charter lists and grants to the County Commissioners every conceivable power that a government might want, the Charter stipulates that the Commissioners shall not be restricted to powers listed.[7]

Here is one awesome grant of power which the Dade County Metro Charter makes to the Board of Commissioners:

"The Board shall have the power of eminent domain and the right to condemn property for public purposes. The Board shall make fair and just compensation for any properties acquired in the exercise of its powers, duties, or functions."[7]

Anything a man owns can be seized, for whatever purpose the commissioners may consider "public." The "just compensation" he receives

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for his property is determined by the power that seized it.

Section 1.02 of the Dade County Charter provides that general ordinances passed by the Board of Commissioners must be given a public hearing before final passage; but the requirements for publicizing the hearing are such that the Board could validly hold a hearing without the Dade County public knowing about it. Yet, to make sure that Metro is not handicapped by any requirements (however vague) to let the people know what is going on, the Charter says:

"No ordinance shall be declared invalid by reason of any defect in publication . . . ."[7]

Articles I and II of the Dade County Charter make a grant of unlimited power to a Board of Commissioners who are elected by the people. But the next article requires these elected officials to transfer most of that power to an appointed county manager whom they will then have little control over—except to fire him.[7]

Section 3.02, on qualifications of the county manager, says:

"At the time of his appointment he need not be a resident of the state . . . ."[7]

Social science experts at 1313 in Chicago, who wrote a Metro Charter for the people of Dade County, Florida, left the door open for one of their own to move in as manager.

Section 3.04 outlines the county manager's powers and duties.

"The Manager shall have the power to appoint and remove all administrative officers and employees of the county subject to the provisions of this Charter and civil service rules and regulations."[7]

Section 3.05 places restrictions on the elected members of the board of commissioners:

"Neither the Board nor any of its members shall direct or request the appointment of any person to, or his removal from, office by the Manager or any of his subordinates, or take part in the appointment or removal of officers and employees in the administrative service of the county . . . . The Board and its members shall deal with the administrative service solely through the Manager and neither the Board nor any members thereof shall give orders to any subordinate of the Manager, either publicly or privately.

"Any wilful violation of the provisions of this Section by a member of the Board shall be grounds for his removal from office by an action brought in the Circuit Court by the State Attorney of this county."[7]

No matter that the commissioners, the only elected officials in the county, might be trying to expose criminals, communists, or other scoundrels, whom the manager could have installed in the police department and elsewhere: if a commissioner gets in the appointed manager's way the *elected official* can be fired, not the *appointed expert.*

The Metro Charter was hardly adopted before citizens in Dade County found they had voted themselves into super-government beyond their control. Officials of the 26 separate municipalities in Dade County had accepted assurances that their communities would not lose self-government. Almost immediately, however, the new Board of Commissioners started passing ordinances which eliminated self-government in the county. Instances of corruption, favoritism, waste, and other evils attributed to Metro, became apparent shortly after the new government was formed.

People found that instead of reduced taxes through "more efficient government" they had more irresponsible spending of public money—and more governmental harassment: for example, in some Dade County communities, citizens were required to have *two* safety stickers on their car: one for the municipal government, one for Metro.

Within six months after metropolitan government had been voted upon Dade County, 45,000 voters had signed a petition asking for an election to adopt an amendment restoring some autonomy to their local cities. The election was eventually held on September 30, 1958; but a majority of

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about one-third of Dade County's qualified electorate voted to keep Metro unchanged.

Now, the top-heavy bureaucracy in Miami is a joke even to some who supported Metro. The Miami *Herald* was a chief advocate for the home-rule charter which made Metro possible. On January 23, 1962, the *Herald* made these sarcastic comments about one of Metro's freeways:

"It has been pretty well established around here that what we need is planning; we have even had planning sessions to plan places to put the plans we are about to plan . . . but if you plan to go to Miami Beach on the expressway, do not plan to get on board at 12th Ave. You can get on the expressway at 12th Ave. if you will, but you must go somewhere else. Miami Beach is all right, but you just can't get there from 12th Ave. unless you break through some barricades that have been recently planned and established to prevent automotive mayhem resulting from previous planning which was perhaps inadequate."[3]

Another Case

On June 17, 1958, voters of Davidson County, Tennessee (Nashville), rejected metropolitan government. The University of Chicago and the Ford Foundation immediately launched a study in Nashville to find out who opposed Metro and why. Apparently, they found out. On June 28, 1962, the matter was put to a vote again; and voters approved metropolitan government for Davidson County. Metro officials claim savings in tax dollars; but local taxes were raised almost immediately after metropolitan government was instituted in Nashville.[8]

To Kill An Octopus

People can fight tentacles of the metropolitan-government octopus at the local level, by opposing urban renewal projects and Metro schemes. But only the U. S. Congress can destroy the monster—by withholding the federal tax money which feeds it.

Enough pressure from a well-informed public could persuade Congress to reject the President's plan for a Department of Housing and Urban Development, and to stop all federal interference in the affairs of our cities.

* * * * *

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Born in Missouri, reared in Texas, Dan Smoot went to SMU getting BA and MA degrees, 1938 and 1940. In 1941, he joined the faculty at Harvard as a Teaching Fellow, doing graduate work for a doctorate in American civilization. From 1942 to 1951, he was an FBI agent: three and a half years on communist investigations; two years on FBI headquarters staff; almost four years on general FBI cases in various places. He resigned from the FBI and, from 1951 to 1955, was commentator on national radio and television programs, giving *both* sides of controversial issues. In July, 1955, he started his present profit-supported, free-enterprise business: publishing *The Dan Smoot Report,* a weekly magazine available by subscription; and producing a weekly news-analysis radio and television broadcast, available for sponsorship by reputable business firms, as an advertising vehicle. The *Report* and broadcast give *one* side of important issues: the side that presents documented truth using the American Constitution as a yardstick. If you think Smoot's materials are effective against socialism and communism, you can help immensely—help get subcribers for the *Report,* commercial sponsors for the broadcast.

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FOOTNOTES

(1) "Text of President Johnson's State Of The Union Message," *Congressional Quarterly Weekly Report*, January 8, 1965, p. 52

(2) Speech by U. S. Representative Bruce Alger (Rep., Texas), *Congressional Record*, March 17, 1959, pp. 3906-3921 (daily)

(3) *Terrible* 1313 *Revisited*, by Jo Hindman, The Caxton Printers, Ltd., Caldwell, Idaho, 1963; price: $2.00

(4) "Terrible '1313'," article by Jo Hindman, *American Mercury* reprint, January, 1959, 12 pp.

(5) The following is a list of the 23 organizations housed at 1313 East 60th Street, Chicago, taken from a booklet, "Thirteen-Thirteen," published by The Central Services Division, Public Administration Service, 1313 East 60th Street, Chicago, 1957, and *Terrible* 1313 *Revisited*, by Jo Hindman (see footnote 3):
American Committee for International Municipal Cooperation
American Municipal Association
American Public Welfare Association
American Public Works Association
American Society for Public Administration
American Society of Planning Officials
Building Officials Conference of America
Conference of Chief Justices
Council of State Governments
Federation of Tax Administrators
Governors' Conference
International City Managers' Association
Interstate Clearing House on Mental Health
Municipal Finance Officers Association
National Association of Assessing Officers
National Association of Attorneys General
National Association of Housing and Redevelopment Officials
National Association of State Budget Officers
National Association of State Purchasing Officials
National Institute of Municipal Clerks
National Legislative Conference
Public Administration Service
Public Personnel Association.

(6) "Metropolitanism," article by E. G. Grace, found in "What Is Metropolitan Government?", booklet published by E. G. Grace, October, 1958, distributed by the Committee For The Preservation Of The Constitution, P. O. Box 27103, Hollywood 27, California, pp. 8-24

(7) "Home Rule Charter of Dade County; State of Florida," text of Charter, *Terrible* 1313, booklet by Don Bell Reports, P. O. Box 2223, Palm Beach, Florida

(8) "Survey Studies Those Who Opposed Metro," *The Nashville Tennessian*, August 13, 1958; "Modern Metro Government Evolving in Nashville," article by William Keel, the *Washington Post*, September 23, 1962, reprinted in the *Congressional Record*, September 28, 1962, pp. A7169-70 (daily); "Metro Government Called Tax Saver," special staff article from Houston, *The Dallas Morning News*, August 13, 1963, Sec. 1, p. 14

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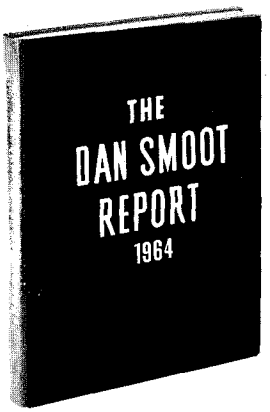

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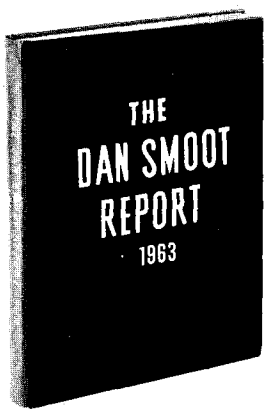

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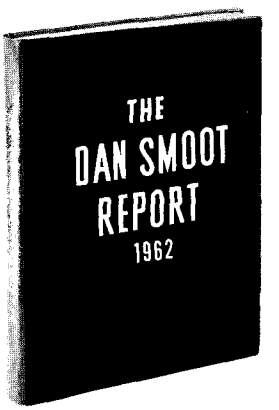

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